

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	ORDER DENYING MOTION FOR
)	RECONSIDERATION OF ORDER OF
vs.)	DETENTION
)	
Lisa Marie Anderson,)	Case No. 1:19-cr-029
)	
Defendant.)	

On May 31, 2023, the court ordered Defendant detained pending a final hearing on a petition to revoke her conditions of supervised release. (Doc. No. 344).

On July 3, 2023, Defendant filed a Motion for Reconsideration of Order of Detention. (Doc. No. 346). She requests to be released to Blessed Builders, a sober living facility in Bismarck, North Dakota, pending the final hearing on her petition.

On July 14, 2023, the United States filed a response in opposition to Defendant's motion. (Doc. No. 347). It asserts that Blessed Builders is not an appropriate facility for Defendant given her criminal history, history of noncompliance with court-ordered conditions of release, and continuous use of controlled substance while on supervision.

A detention hearing may be reopened "if the judicial officer finds that information exists that was not known to the movant at the time of the hearing and that has a material bearing on the issue whether there are conditions of release that will reasonably assure the appearance of such person as required and the safety of any other person and the community." 18 U.S.C. § 3142(f)(2). Consequently, to reopen a detention hearing a defendant must, first, present information that was not known or available to him at the time of his original detention hearing, and then, second, show

that such information is material to and has a substantial bearing on whether he should remain detained.

The court appreciates the effort undertaken by Defendant and her counsel to secure a placement at Blessed Builders. It also appreciates Defendant's desire to address her addiction. Nevertheless, having reviewed the record of her own making, the court is disinclined to reopen the detention hearing or to otherwise reconsider its order detaining her. A placement at Blessed Builders is new information. However, the court cannot disregard her demonstrated inability to comply with her conditions of supervision and her criminal history. Moreover, the court is not persuaded that Blessed Builders is an appropriate facility for her as it is not a treatment facility and does not have the security and structure that Defendant requires given her history. For these reasons, her motion (Doc. No. 346) is **DENIED**.

IT IS SO ORDERED.

Dated this 17th day of July, 2023.

/s/ Clare R. Hochhalter

Clare R. Hochhalter, Magistrate Judge
United States District Court